

Todd A. Murray (SBN 075364)
LAW OFFICES OF TODD A. MURRAY
641 Fulton Avenue, Suite 130
Sacramento, CA 95825
Telephone: (916) 488-1795
Facsimile: (916) 481-5080

Attorneys for Plaintiff
THERESA UREKEW

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

THERESA UREKEW,

Plaintiff,

v.

TETRA HOLDING (US) INC., KENT NORRIS,
REMY OZARAGA, and DOES 1 through 20,

Defendants.

Case No. CIV.S-04-2529 FCD KJM

**STIPULATION AND ORDER
SHORTENING TIME FOR
HEARING OF PLAINTIFF'S
MOTION TO MODIFY
PRETRIAL SCHEDULING
ORDER**

Date:

Time:

Judge: Hon. Frank C. Damrell, Jr.

"AS MODIFIED"

The parties, by and through their respective counsel, stipulate as follows:

1. On May 20, 2005, this Court issued a scheduling order setting February 1, 2006 as the discovery cutoff date. (Docket No. 7.)
2. On February 4, 2006, defendant filed a motion for summary judgment, which, pursuant to an amended notice of motion, was set for hearing on April 21, 2006. (Docket No. 14.)
3. On March 24, 2006 plaintiff filed a motion for withdrawal of admissions. (Docket No. 16.) The motion was noticed for hearing on April 21, 2006 before the District Judge, but the hearing date was vacated as improperly noticed in accordance with Local Rule 72-302(c)(1) and 37-251. (Docket No. 17.)

4. On April 6, 2006, plaintiff filed an amended motion for withdrawal of admissions, which was noticed for hearing on May 3, 2006 before Magistrate Judge Mueller. (Docket No. 18.)

5. On April 11, 2006 the Court issued a minute order resetting the hearing of defendant's motion for summary judgment to June 2, 2006, in light of the pending motion for withdrawal of admissions. (Docket No. 26.)

6. On April 27, 2006, the hearing on plaintiff's motion for withdrawal of admissions was vacated as untimely under the scheduling order of May 20, 2005. (Docket No. 29.)

7. Plaintiff files herewith a motion to modify the Court's scheduling order so that her motion for withdrawal of admissions may be heard before the summary judgment hearing date of June 2, 2006. Defendant intends to oppose plaintiff's motion to modify the scheduling order, but stipulates that said motion may be heard on shortened time.

DATED: April 28, 2006

LAW OFFICES OF TODD A. MURRAY

By: /s/_____
Todd A. Murray

DATED: April 28, 2006

SEYFARTH SHAW, LLP

By: /s/ _____
Mark Grajski

ORDER

The application for an order shortening time to file and hear plaintiff's motion to modify the pretrial scheduling order is GRANTED. Plaintiff shall file the Motion to Modify by close of business on May 5, 2006. Defendant shall file its opposition to the motion on or before May 12, 2006. There will be no reply brief. The hearing on the motion shall be noticed and set for Friday, May 19, 2006 at 10:00 a.m.

The court puts the parties on notice that all other pending dates may be continued if the plaintiff prevails on the Motion to Modify.

DATED: May 2, 2006

/s/ Frank C. Damrell Jr.
Judge of the District Court